IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE
MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

WA.No. 2172 of 2004()

AGAINST THE JUDGEMENT/ORDER IN OP.28737/2000 Dated 09/04/2003
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APPELLANT WITH LEAVE:

SECRETARY, A.K. MEMORIAL CHARITABLE TRUST, REG.NO.Q-208/93, THATTAMPALAM P.O., KOLLAM-691 020.

BY ADV. SRI.V.M.KURIAN
SRI.A.V.THOMAS
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS

RESPONDENTS/RESPONDENTS/PETITIONER IN OP :
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1. KHADI GRAMA VYAVASAYA ASSOCIATION REG.NO.572/93, DIST.UNIT, PALAKKAD, REP. BY ITS SECRETARY C. RAMACHANDRAN, S/O. M.P. CHATHU, AGED 49 YEARS, RESIDING AT MELE HOUSE, KANNANNUR, PALAKKAD.

2. STATE OF KERALA, REP. BY SECRETARY DEPARTMENT OF REVENUE, THIRUVANANTHAPURAM.

3. KERALA KHADI & VILLAGE INDUSTRIES BOARD, VANCHIYOOR, TRIVANDRUM.

BY ADV. SRI.BECHU KURIAN THOMAS
SRI.PRAKASH PUTHIADAM
R3 BY SRI.K.P. HARISH, SC, KHADI BOARD
R2 BY SPL. GOVERNMENT PLEADER(TAXES) SRI. V.V. ASOKAN.

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S. RADHAKRISHNAN(AG.C.J.) & M.N. KRISHNAN,J.

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W.A. NO. 2172 OF 2004

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Dated this the 27th day of February, 2007.

J U D G M E N T

Radhakrishnan,(Ag.C.J.)

Heard counsel on either side. Counsel for the appellant submitted that he is entitled to get the benefit of the judgment in Khadi Grama Vyavasaya Association v. State of Kerala and another reported in (2007) 15 KTR 27(Ker.). In the circumstances, we are inclined to dispose of the appeal in terms of the judgment reported in (2007) 15 KLT 27 and the appellant will be entitled to the benefit of that judgment.

K.S. RADHAKRISHNAN,
(AG. CHIEF JUSTICE).

M.N. KRISHNAN, JUDGE.

ul/-